**VILLAGE BOARD OF TRUSTEES**

**MEETING**

**JANUARY 17, 2023**

Mayor Michael VandeVelde presiding

MEMBERS: Dennis Lutes, Judy Einach, Josh Freifeld, Blake Maras

OTHERS: Vince Luce, Becki Betts-Paternosh, Andrew Thompson, Andrew Webster, Erin Schuster, Ed LeBarron, Chris Reese, Marybelle Beigh, Bonnie Rae Strickland, Don McCord, Joe Quinn, Dave Haskin, Kathy Archer, Debra Puckhaber, Ann Kneer, Esther Knappenberger

**MAYOR/BOARD**

SCHEDULE PUBLIC HEARING FOR LOCAL LAW #1-2023

**The board made a motion by Trustee Freifeld, seconded by Trustee Einach and was carried unanimously to schedule a Public Hearing for**

**Local Law #1-2023/Moratorium on Cryptocurrency Mining Business & Operations in the Village of Westfield for February 21, at 7:00 p.m.**

SITE PLAN REVIEW AND APPROVAL

Planning Board Chairman, Don McCord stated the site plan had been modified from the original to submit to the Village Board for approval. Joe Quinn mentioned there is a sidewalk and noted it was added and is outside of the parcel bounds that is conditioned on DOT approval. He doesn’t feel it will be an issue but if it does not get approved by DOT, it will not be included in the site plan.

**The board made a motion by Trustee Freifeld, seconded by Trustee Lutes and was carried unanimously, following the recommendation from the Village Planning Board, to approve the Site Plan for 2-4 S. Portage Street, formerly Welch building, (now C.E. Welch Building).**

MINUTES

**The board made a motion by Trustee Einach, seconded by Trustee Maras and was carried unanimously to approve the minutes of 12/05/22.**

CDL TRAINING POLICY

**The board made a motion by Trustee Maras, seconded by Trustee Freifeld and was carried unanimously to approve the following CDL Training Policy:**

Effective February 7th, 2022, the Federal Motor Carrier Safety Administration (FMCSA) established federal regulations requiring entry-level drivers to complete entry level driver training (ELDT) when they are seeking a Class A or B CDL for the first time, upgrading to a Class A or B CDL or obtaining a passenger (P), school bus (S) or a hazardous material (H) endorsement for the first time. Entry-level driver applicants must obtain training from a training provider listed on the Training Provider Registry (TPR). A Class B CDL is required for several positions within the Village of Westfield. The Village agrees to cover the following costs associated with obtaining a Class B CDL for employees who are required to have one:

* Tuition for an approved course listed on the Training Provider Registry
* DOT Physical
* DOT Drug Test

These costs will be paid by the Village one time. If an employee fails to complete the CDL training course, they can take the course again with Supervisor approval. The employee would be responsible for the tuition.

Employee will be responsible for the following costs paid to the Department of Motor Vehicles:

* CDL Permit
* CDL Road Test
* Driving Record/ Abstract

Any costs associated with this training will be subject to potential reimbursement to the Village as required by Section 12.24-Specialized Employee Training Reimbursement to the Village in the Union Contract and/or the Village Policy to recover costs associated with specialized employee training for all Village Employees and Public Officers.

YWCA REQUEST USE OF MOORE PARK – ANNUAL ARTS & CRAFTS FESTIVAL

**The board made a motion by Trustee Einach, seconded by Trustee Maras and was carried unanimously to approve for the YWCA request for use of Moore Park for July 27-29, 2023, for the Annual Arts & Crafts Festival.**

EXECUTIVE SESSION TO DISCUSS PROPOSED SALE OF REAL PROPERTY

**POLICE DEPARTMENT**

**The board made a motion by Trustee Freifeld seconded by Trustee Maras and was carried unanimously to approve the Police Report as read by Trustee Einach.**

**FIRE DEPARTMENT**Following the reading of the December report which listed 8 calls to 26 Cass St. noting there is still an ongoing issue with too many calls from there. Fire Chief Reese noted there have been emails to them regarding this. They have a van and could be able to transport non-emergency patients. The Mayor will write a letter to them addressing this problem.

NEW MEMBER APPROVAL

**The board made a motion to approve new Fire Department member, Tyler Cloos in the Hook & Ladder Co. by Trustee Maras, seconded by Trustee Einach and was carried unanimously.**

VOLUNTEER FIREFIGHTER/AMBULANCE WORKER PROPERTY EXEMPTION

The Mayor noted that the State has passed a law which will allow every entity to decide if they want to give up the 10% property tax credit to Fire Department members. Need to know they are “active” member for two years before being eligible. It is an annual renewal.

**The board made a motion by Trustee Freifeld, seconded by Trustee Maras and was carried unanimously to approve scheduling a Public Hearing for February 21st at 7:15 p.m. for a Resolution of Local Law to opt in.**

**RECREATION DEPARTMENT**

MONTHLY REPORT

**The board made a motion to approve the Program Report by Trustee Einach, seconded by Trustees Freifeld and was carried unanimously.**

VACATION CARRYOVER REQUEST

**The board made a motion by Trustee Freifeld, seconded by Trustee Einach and was carried unanimously to approve a carryover of 8.5 days’ vacation time for Andrew Webster.**

**CODE ENFORCEMENT**

**The board made a motion to approve the Code Officer report by Trustee Einach, seconded by Trustee Lutes and was carried unanimously.**

**HISTORIAN**

The Historian is working on the full annual report which will be submitted when completed.

**PUBLIC WORKS DEPARTMENT**

**The board made a motion to approve to declare the following items as surplus for by Trustee Freifeld, seconded by Trustee Lutes and was carried unanimously:**

VEHICLES: 1. Salvage Only – 2008 Chevrolet Cobalt – Gold 4-Door Sedan – VIN # 1G1AL58F987265223 –

2. Salvage Only – 2010 Dodge Ram 1500 – Gold Pick-up Truck – VIN # 1D7RV1GT4BS504272 - Milage 139,905

SURPLUS EQUIPMENT:

1. (4) New Goodyear Tires – 235/70R16

2. (4) Used Continental HSR 225/70R19.5 Tires

3. Used 2016 John Deere Z290M60 Zero-Turn Mower – 23.5 HP – Manufacture Date 04/29/2016 – Product ID # 1TC920MCCGT041627 – Hours 1468.2

4. Weaver Floor Jack – Model WA-85 – 20 Ton

5. Blackhawk Floor Jack – 12 Ton

6. Craftsman 15-Amp 10” Table Saw

7. Excalibur Code 3 Light Bar – Public Safety Equipment – US Pat# D410.402

8. Edge Ultra 9000 Series Light Bar – 48” Model 9U428000 – Ser # 11054 – Assy # 1217

9. Hunter TC 300 Tire Machine – Ser # 00119

**ELECTRIC DEPARTMENT**

TRANSFORMER FOR WELCH BUILDING

Andrew Thompson requested permission to go out to bid for a Padmount Transformer for the Welch Building. He noted that some quotes were received and were above the amount that we need to request sealed bids.

**The board made a motion by Trustee Lutes, seconded by Trustee Maras and was carried unanimously to go out for competitive bid for a Padmount Transformer for the Welch Building.**

**TREASURER**

REVENUE & EXPENSE REPORTS

**The board made a motion to approve the Revenue & Expense Reports by Trustee Freifeld seconded by Trustee Einach and was carried unanimously.**

BUDGET TRANSFERS

**The board made a motion to approve the Budget Transfers by Trustee Lutes, seconded by Trustee Freifeld and was carried unanimously.**

CARRYOVER VACATION TIME

**The request by the Treasurer to carryover 9 days of vacation time was approved on a motion made by Trustee Einach, seconded by Trustee Maras and was carried unanimously.**

BOARD MEETING SCHEDULE REMINDER

The 1st budget meeting in March for budget sessions has been moved to February 27th.

**CLERK**

WARRANTS

**The following warrants were approved on a motion made by Trustee Freifeld, seconded by Trustee Einach and was carried unanimously:**

**Electric W#33 $115,948.47**

**Water W#45 27,239.34**

**General W#34 44,178.57**

**Sewer W#37 48,433.91**

**Electric W#35 110,395.55**

**General W#36 73,857.14**

**Sewer W#39 31,169.86**

**Water W#47 20,062.18**

**Sewer W#4 39,815.20**

**General W#38 122,254.00**

**Water – Minton W#50 5,102.50**

**Electric W#37 229,653.94**

**Water W#49 34,881.38**

VISITORS

A question was raised on who will be in charge in Chief Genthner’s absence and the Mayor noted that Sergeant Corbin Meleen will be in charge.

Question was raised as to putting the holiday called Juneteenth onto the Village’s yearly Holiday listing. The Mayor noted that would have to be brought up in the next Union Contract negotiations.

Will there be an offset for the purchase of the Padmount Transformer on the Welch Building Project site plan. Andrew stated that the cost of the Transformer would be on the Village because it is a secondary meter installation, so we change meters on the secondary side of the Transformer.

**The board made a motion to enter Executive Session to discuss negotiations on a motion made by Trustee Freifeld, seconded by Trustee Lutes and was carried unanimously**

EXECUTIVE SESSION TO DISCUSS LEGAL ISSUE

**Following discussion, the board made a motion to re-enter regular session by Trustee Freifeld, seconded by Trustee Lutes and was carried unanimously.**

**ACTION**

**Action taken resulting from the Executive Session is as follows:**

**The board made a motion by Trustee Einach, seconded by Trustee Freifeld and was carried unanimously to approve the following Resolution #1-2023.**

**RESOLUTION #1-2023**

**SALE OF SURPLUS REAL ESTATE**

WHEREAS,the Village of Westfield obtained the property at 184 North Portage Street, Westfield, New York (SBL 192.15-2-6) from Chautauqua County as a tax-delinquent property in effort to remediate a deteriorated parcel on an important gateway to the community and return the property to the tax rolls as a productive piece of property; and

WHEREAS,the Village of Westfield secured clear title to said property and obtained a quote of $12,000 from outside contractors to remove the structure on the property; and

WHEREAS,a developer approached the Village of Westfield with a development proposal for the parcel, and subsequently provided a proposal for purchase and redevelopment; and

WHEREAS,the purchase and redevelopment proposal would remove the public cost of removal; provide $15,000 dollars in revenue to the community from the sale of the property; and return the parcel to a productive state on the tax rolls;

NOW, THEREFORE BE IT RESOLVED,that the Village Board of the Village of Westfield, New York does hereby authorize the Mayor and the Village Attorney to negotiate the final terms and conditions of sale and enter into a contract of sale for the property at 184 North Portage Street.

**There being no further business to come before the board the motion was made to adjourn the meeting by Trustee Freifeld, seconded by Trustee Einach and was carried unanimously.**